

REMARKS

This is a full and timely response to the outstanding non-final Office Action mailed March 12, 2003. No amendments have been entered to the presently pending claims. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

Rejections Under 35 U.S.C. §112

The Office Action indicates that claims 1, 11, 15 and 17 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, the Office Action indicates that the terms “active stereo” and “passive stereo” are indefinite. Applicants respectfully traverse this rejection.

Applicants respectfully assert that the terms “active stereo” and “passive stereo” have been used in accordance with their common and ordinary meanings. Additionally, respectfully referring the Examiner’s attention to the specification at page 59, lines 1 – 10, Applicants have expressly defined the terms “active stereo” and “passive stereo.” In particular, that portion of the specification recites:

As utilized herein, the term “active stereo” refers to the presentation of alternating channels, *i.e.*, one channel being associated with the left eye of a viewer (the “left channel”) and the other channel being associated with the right eye of the viewer (the “right channel”), of video display. Typically, active stereo is facilitated by the use of headgear that is synchronized with a display device so that the viewer views one channel of the video display with the left eye and the other channel with the right eye. Additionally, as utilized herein, the term “passive stereo” refers to the presentation of simultaneous channels, *i.e.*, one channel being associated with the left eye of a viewer (the “left channel”) and the other channel being associated with the right eye of the viewer (the “right channel”), of video display. Typically, passive stereo is facilitated by the use of headgear which is configured to allow each eye of the viewer to view only one of the simultaneously displayed channels of video.

Furthermore, the preambles of claims 1, 11, 15 and 17 each recite “the active stereo video data being configured to enable alternate output of corresponding frames of the right channel pixel data and the left channel pixel data for displaying an image to be rendered in active stereo.” Therefore, Applicants respectfully assert that the claims themselves include language that define the allegedly indefinite terms. Based on the foregoing, Applicants respectfully assert that the rejection is improper and request that the rejection be removed.

Provisional Obviousness-Type Double Patenting

The Office Action indicates that claims 1 – 19 stand provisionally rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over claims 1 – 26 of copending Application 09/715,882. Specifically, the Office Action indicates that although the conflicting claims are not identical, they are not patentably distinct from each other because of the limitations recited in claim 1 of Application 09/715,882.

Applicants respectfully traverse the rejection for at least the reason that claim 1 of Application 09/715,882 was canceled without waiver, disclaimer or prejudice. Therefore, Applicant respectfully asserts that the rejection has been rendered moot.

Rejections Under 35 U.S.C. § 102

The Office Action indicates that claims 1- 5 and 7 – 19 stand rejected under 35 U.S.C. § 102(e) as being anticipated by *MacInnis*. Applicants respectfully traverse the rejection, as set forth in detail below, because *MacInnis* does not teach or otherwise disclose all of the features recited in the respective claims.

Claim 1 recites:

1. ***A method for converting active stereo video data into passive stereo video data***, the active stereo video data containing right channel pixel data and left channel pixel data, ***the active stereo video data being configured to enable alternate output of corresponding frames of the right channel pixel data and the left channel pixel data for displaying an image to be rendered in active stereo***, said method comprising the steps of:
 receiving the active stereo video data containing the right channel pixel data and the left channel pixel data corresponding to the image to be rendered;
 re-sequencing the right channel pixel data and the left channel pixel data; and
 simultaneously outputting corresponding frames of the right channel pixel data and the left channel pixel data ***for displaying the image to be rendered in passive stereo***.
(Emphasis Added).

Applicants respectfully assert that *MacInnis* does not teach or otherwise disclose at least the features emphasized above in claim 1. Specifically, Applicants respectfully assert that *MacInnis* does not discuss the use of active stereo or passive stereo, much less a method for converting active stereo video data into passive stereo video data as recited in claim 1. In this regard, Applicants respectfully request the Examiner to specifically identify those portions of *MacInnis* that allegedly involve the use of active stereo and/or passive stereo, as a review of *MacInnis* reveals that the particular portions of that disclosure relied upon in the Office Action do not involve active stereo or passive stereo as alleged. In this regard, Applicants respectfully request the Examiner to call the undersigned attorney for Applicants to ensure that *MacInnis* is not misconstrued.

Since *MacInnis* is legally deficient for the purpose of anticipating claim 1, Applicants respectfully assert that claim 1 is in condition for allowance. Additionally, since claims 2 – 5 and 7 – 10 depend either directly or indirectly from claim 1 and, thus, incorporate all the features/limitations of claim 1, Applicants respectfully assert that these claims also are in condition for allowance. Additionally, these dependent claims recite other features/limitations which may serve as an independent basis for patentability.

Claim 11 recites:

11. ***A device for converting active stereo video data into passive stereo video data***, the active stereo video data containing right channel pixel data and left channel pixel data, ***the active stereo video data being configured to enable alternate output of corresponding frames of the right channel pixel data and the left channel pixel data for displaying an image to be rendered in active stereo***, said device comprising:

means for receiving the active stereo video data containing the right channel pixel data and the left channel pixel data corresponding to the image to be rendered;

means for re-sequencing the right channel pixel data and the left channel pixel data; and

means for simultaneously outputting corresponding frames of the right channel pixel data and the left channel pixel data ***for displaying the image to be rendered in passive stereo***.

(Emphasis Added).

Applicants respectfully assert that *MacInnis* does not teach or otherwise disclose at least the features emphasized above in claim 11. Therefore, Applicants respectfully assert that the rejection is improper and that claim 11 is in condition for allowance. Additionally, since dependent claims 12 – 14 include all of the features/limitations of claim 11, Applicants respectfully assert that these claims also are in condition for allowance.

Claim 15 recites:

15. ***A device for converting active stereo video data into passive stereo video data***, the active stereo video data containing right channel pixel data and left channel pixel data, ***the active stereo video data being configured to enable alternate output of corresponding frames of the right channel pixel data and the left channel pixel data for displaying an image to be rendered in active stereo***, said device comprising:

logic configured to receive the active stereo video data containing the right channel pixel data and the left channel pixel data corresponding to the image to be rendered;

logic configured to re-sequence the right channel pixel data and the left channel pixel data; and

logic configured to simultaneously output corresponding frames of the right channel pixel data and the left channel pixel data ***for displaying the image to be rendered in passive stereo***.

(Emphasis Added).

Applicants respectfully assert that *MacInnis* does not teach or otherwise disclose at least the features emphasized above in claim 15. Therefore, Applicants respectfully assert that the rejection is improper and that claim 15 is in condition for allowance. Additionally, since dependent claim 16 includes all of the features/limitations of claim 15, Applicants respectfully assert that claim 15 also is in condition for allowance.

Claim 17 recites:

17. ***A device for converting active stereo video data into passive stereo video data***, the active stereo video data containing right channel pixel data and left channel pixel data, ***the active stereo video data being configured to enable alternate output of corresponding frames of the right channel pixel data and the left channel pixel data for displaying an image to be rendered in active stereo***, said device comprising:

an input mechanism configured to receive the active stereo video data, the active stereo video data being provided as multiple digital video data streams containing the right channel pixel data and the left channel pixel data; and

an output mechanism electrically communicating with said input mechanism, said output mechanism being ***configured to receive the right channel pixel data and the left channel pixel data and selectively provide the pixel data as any one of a passive stereo video data stream and an active stereo video data stream***.

(Emphasis Added).

Applicants respectfully assert that *MacInnis* does not teach or otherwise disclose at least the features emphasized above in claim 17. Therefore, Applicants respectfully assert that the rejection is improper and that claim 17 is in condition for allowance. Additionally, since dependent claims 18 and 19 include all of the features/limitations of claim 17, Applicants respectfully assert that these claims also are in condition for allowance.

Rejections Under 35 U.S.C. § 103

The Office Action indicates that claim 6 stands rejected under 35 U.S.C. § 103 as being unpatentable over *MacInnis* in view of *Simpson*. Applicants respectfully traverse the rejection.

As set forth above, *MacInnis* does not involve the use of active stereo or passive stereo, much less the features/limitations recited in claim 1. Claim 6 is a dependent claim that incorporates all of the features/limitations of claim 3 and claim 1. Since *Simpson* does not teach or reasonably suggest the features/limitations of claim 1 that are absent in *MacInnis*, Applicants respectfully assert that *Simpson* is inadequate for the purposes of remedying the deficiencies of *MacInnis*. Therefore, Applicants respectfully assert that the rejection of claim 6 based on the combination of *MacInnis* and *Simpson* is improper and respectfully request that the rejection be removed.

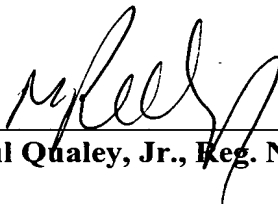
Prior Art Made of Record

The prior art made of record has been considered, but is not believed to affect the patentability of the presently pending claims.

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 1 – 19 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Washington D.C. 20231, on 6/4/03.

Stephanie Riley
Signature